

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

PHYLISS CRAIG-TAYLOR,)
)
)
Plaintiff,)
)
v.)
) 1:22-cv-1065
NORTH CAROLINA CENTRAL)
UNIVERSITY, through the)
Board of Governors of)
the University of North)
Carolina,)
)
Defendant.)

ORDER

Defendant North Carolina Central University, through the Board of Governors of the University of North Carolina, ("NCCU") filed a Motion to Dismiss Plaintiff's Complaint, (Doc. 11). Rather than filing a response, Plaintiff filed a First Amended Complaint. (Doc. 16.) The Amended Complaint is currently the operative pleading and renders the Complaint, (Doc. 8), of no legal effect. See Young v. City of Mount Rainier, 238 F.3d 567, 572 (4th Cir. 2001).

Because the first motion to dismiss, (Doc. 11), addresses the now inoperative Complaint, (Doc. 8), the motion is rendered moot. Consequently, this court will deny Defendant's motion to dismiss without prejudice to Defendant filing a new motion.

For the reasons stated herein, **IT IS HEREBY ORDERED** that

Defendant's Motion to Dismiss, (Doc. 11), is **DENIED WITHOUT PREJUDICE.**

This the 16th day of March, 2023.

William L. Osten, Jr.
United States District Judge